

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 06.08.2015

CORAM :
THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE M. VENUGOPAL

C.M.A.Nos.1866 and 1867 of 2015
and
M.P.Nos.1 and 1 of 2015

CMA No.1866 of 2015

State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
Chennai - 2. Appellant/Respondent

Vs.

S.Divya Respondent/Petitioner

CMA No.1867 of 2015

State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
Chennai - 2. Appellant/Respondent

Vs.

S.Sevagi Respondent/Petitioner

Common Prayer: These Civil Miscellaneous Appeals are filed under Section 173 of the Motor Vehicles Act to set aside the common decretal order and judgment passed in MCOP Nos.4172 and 4173 of 2008 on the file of the Motor Accidents Claims Tribunal (Chief Judge, Small Causes Court), Chennai.

For Appellants : Mr.K.S.Suresh
in both Appeals

For Respondent : Mr.G.Balaji Prasad
in both Appeals

COMMON JUDGMENT

Challenging the quantum of compensation of Rs.75,000/- and 70,000/-, respectively with interest, at the rate of 7.5% per annum awarded to the respondents/injured, the present appeals have been filed by the State Express Transport Corporation.

2. It is represented by the learned counsel on either side that, in the accident, which occurred on 09.09.2008, one S.Lavanya died and the respondents herein, suffered injuries. Their claim petitions were tried jointly and a common award was passed by the tribunal. The legal representatives of the deceased and these respondents/injured have filed execution petitions. The respondents herein have withdrawn the entire award amount deposited by the Transport Corporation. It is further submitted that appeals for enhancement have been filed before this Court in CMA Nos.3618 to 3620 of 2013 by the legal representatives of the deceased, as well as the injured/ respondents herein. Submission of the learned counsel is placed on record.

3. In view of the above, nothing survives for adjudication in these Civil Miscellaneous Appeals, as the compensation awarded to them has been withdrawn. Amount awarded in each case, is also stated to be meagre for which, two separate appeals in CMA Nos.3619 and 3620 of 2014, have been filed for enhancement. Accordingly, these Civil Miscellaneous Appeals are dismissed. No costs. Consequently connected Civil Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

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Sub Assistant Registrar

To

The Motor Accidents Claims Tribunal (Chief Judge),
Small Causes Court, Chennai

C.M.A.Nos.1866 and 1867 of 2015
and
M.P.Nos.1 and 1 of 2015

TEJ(CO)
CA(15/09/2015)